

42(h)(4)(B) of the Internal Revenue Code (Code), the lists are effective if the bonds are issued and the building is placed in service after December 31, 2003.

HUD typically issues a notice in the **Federal Register** in the last quarter of a calendar year designating Difficult Development Areas for the forthcoming calendar year. HUD attempts to publish the designation notice early enough to allow low-income housing tax credit (LIHTC) allocating agencies sufficient time to ensure applicant projects in DDAs and QCTs. HUD did not publish the 2004 notice until December 19, 2003, which did not provide adequate time before the effective date for allocating agencies or applicants for tax credits or tax-exempt bond financing to take actions to meet the conditions necessary to capture the benefits of the 2003 DDA designations before they expired.

Therefore, on November 2, 2004 (69 FR 63551), HUD published a notice amending the 2004 notice to extend 2003 eligibility for areas that were designated as 2003 DDAs in a notice published on December 12, 2002 (67 FR 76451) (the 2003 notice) but were not so designated in the 2004 notice. The November 2, 2004, notice (the 2004 amendatory notice) established an applicant for LIHTCs must submit to its credit-allocating agency a complete application filed after December 31, 2002, and before December 17, 2004. (Emphasis added).

It has come to HUD's attention that the phrasing of the end date of the effective time period of the extended 2003 Difficult Development Areas as "before December 17, 2004," was misinterpreted by an LIHTC-allocating agency in establishing its due date for applications. This LIHTC-allocating agency required that applications be submitted on or before December 17, 2004. The result was that some applications for LIHTC assistance for projects to be located in the extended 2003 Difficult Development Areas came in one day past the end of the extended effective period of the 2003 Difficult Development Areas, which ended on December 16, 2004. HUD has determined that financing arrangements for these affordable housing developments, made in good faith and contingent on the applicability of the extended 2003 Difficult Development Areas, should not be jeopardized by any confusion caused by misinterpretation of its notice.

Therefore, through this notice, HUD changes the 2004 amendatory notice so that the effective date language pertaining to 2003 Difficult

Development areas that were not designated 2004 Difficult Development Areas reads "on or before December 17, 2004," everywhere such phrases appear in the 2004 amendatory notice.

Dated: April 5, 2006.

**Darlene F. Williams,**

*Assistant Secretary for Policy Development and Research.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Crocodile Lake National Wildlife Refuge

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability of the Final Comprehensive Conservation Plan and Finding of No Significant Impact for Crocodile Lake National Wildlife Refuge in Monroe County, Florida.

**SUMMARY:** The Fish and Wildlife Service announces that a Final Comprehensive Conservation Plan and Finding of No Significant Impact for Crocodile Lake National Wildlife Refuge are available for distribution. The plan was prepared pursuant to the National Wildlife Refuge System Improvement Act of 1997, and in accordance with the National Environmental Policy Act of 1969, and describes how the refuge will be managed for the next 15 years.

**ADDRESSES:** A copy of the plan may be obtained by writing to the National Key Deer Refuge, 28950 Watson Boulevard, Big Pine Key, Florida 33043. The plan may also be accessed and downloaded from the Service's Internet Web site <http://southeast.fws.gov/planning/>.

**SUPPLEMENTARY INFORMATION:** Crocodile Lake National Wildlife Refuge is located on North Key Largo in Monroe County, Florida, approximately 40 miles southeast of Miami. The refuge was established in April 1980 under the authorities of the Endangered Species Act of 1973 (as amended), and the Land and Water Conservation Fund Act of 1965 (as amended in 1976). It currently covers 6,700 acres, including 650 acres of open water. It contains a mosaic of habitat types including tropical hardwood hammock, mangrove forests, and salt marshes. These habitats are vital for hundreds of plants and animals, including six federally listed species.

The availability of the Draft Comprehensive Conservation Plan and Environmental Assessment for a 60-day

public review and comment period was announced in the Federal Register on August 16, 2005 (70 FR 48187). The plan and environmental assessment identified and evaluated three alternatives for managing the refuge over the next 15 years. Alternative 2 was chosen as the "preferred alternative." Under Alternative 2, 6,700 acres of refuge lands will be conserved, maintained, and enhanced. Increased efforts related to habitat restoration, exotics control, pest management, and monitoring are characteristics of this alternative. The increased management action will help to achieve the long-term goals and objectives in a timelier manner. This alternative will result in a more ecosystem-based management approach will views the refuge as a single system rather than separate habitat types. Federally listed species will still be primary concern, but needs of other resident and migratory wildlife will also be considered. This alternative will be the most effective for meeting the purposes of the refuge by conserving habitats and associated wildlife. It best achieves national, ecosystem, and refuge-specific goals and objectives and positively addresses significant issues and concerns expressed by the public.

**FOR FURTHER INFORMATION CONTACT:** Van Fischer, Natural Resource Planner, National Key Deer Refuge Complex; telephone: 305/872-2239; Fax: 305/872-3675; E-mail: [van\\_fischer@fws.gov](mailto:van_fischer@fws.gov).

**Authority:** This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57.

Dated: February 23, 2006.

**Cynthia K. Dohner,**

*Acting Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Reviews of 70 Species in Idaho, Oregon, Washington, and Hawaii, and Guam

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of review.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce the initiation of a 5-year review of 70 species under section 4(c)(2)(B) of the Endangered Species Act (Act). The purpose of a 5-year review is to ensure that the classification of a species as threatened or endangered on the List of